

STATE OF SOUTH CAROLINA

(Caption of Case)

Petition of the Office of Regulatory Staff for
Commission to Order a Rule to Show Cause as to
Why the Certificates of Public Convenience and
Necessity for Certain Providers of
Telecommunications Services Should Not be
Revoked

BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

COVER SHEET

DOCKET
NUMBER: 2007 - 253 - C

(Please type or print)

Submitted by: John J. Pringle, Jr.

SC Bar Number: 11208

Telephone: 803-343-1270

Fax: 803-799-8479

Address: Ellis, Lawhorne & Sims, PA

PO Box 2285

Columbia SC 29202

Other:

Email: jpringle@ellislawhorne.com

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition

☐ Request for item to be placed on Commission's Agenda expeditiously

☐ Other:

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)			
<input type="checkbox"/> Electric	<input type="checkbox"/> Affidavit	<input type="checkbox"/> Letter	<input type="checkbox"/> Request	
<input type="checkbox"/> Electric/Gas	<input type="checkbox"/> Agreement	<input type="checkbox"/> Memorandum	<input type="checkbox"/> Request for Certification	
<input type="checkbox"/> Electric/Telecommunications	<input type="checkbox"/> Answer	<input type="checkbox"/> Motion	<input type="checkbox"/> Request for Investigation	
<input type="checkbox"/> Electric/Water	<input type="checkbox"/> Appellate Review	<input type="checkbox"/> Objection	<input type="checkbox"/> Resale Agreement	
<input type="checkbox"/> Electric/Water/Telecom.	<input type="checkbox"/> Application	<input type="checkbox"/> Petition	<input type="checkbox"/> Resale Amendment	
<input type="checkbox"/> Electric/Water/Sewer	<input type="checkbox"/> Brief	<input type="checkbox"/> Petition for Reconsideration	<input type="checkbox"/> Reservation Letter	
<input type="checkbox"/> Gas	<input type="checkbox"/> Certificate	<input type="checkbox"/> Petition for Rulemaking	<input type="checkbox"/> Response	
<input type="checkbox"/> Railroad	<input type="checkbox"/> Comments	<input type="checkbox"/> Petition for Rule to Show Cause	<input type="checkbox"/> Response to Discovery	
<input type="checkbox"/> Sewer	<input type="checkbox"/> Complaint	<input type="checkbox"/> Petition to Intervene	<input type="checkbox"/> Return to Petition	
<input checked="" type="checkbox"/> Telecommunications	<input type="checkbox"/> Consent Order	<input type="checkbox"/> Petition to Intervene Out of Time	<input type="checkbox"/> Stipulation	
<input type="checkbox"/> Transportation	<input type="checkbox"/> Discovery	<input checked="" type="checkbox"/> Prefiled Testimony	<input type="checkbox"/> Subpoena	
<input type="checkbox"/> Water	<input type="checkbox"/> Exhibit	<input type="checkbox"/> Promotion	<input type="checkbox"/> Tariff	
<input type="checkbox"/> Water/Sewer	<input type="checkbox"/> Expedited Consideration	<input type="checkbox"/> Proposed Order	<input type="checkbox"/> Other: _____	
<input type="checkbox"/> Administrative Matter	<input type="checkbox"/> Interconnection Agreement	<input type="checkbox"/> Protest		
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Interconnection Amendment	<input type="checkbox"/> Publisher's Affidavit		
	<input type="checkbox"/> Late-Filed Exhibit	<input type="checkbox"/> Report		

Print Form

Reset Form

ELLIS:LAWHORNE

John J. Pringle, Jr.
Direct dial: 803/343-1270
jpringle@ellislawhorne.com

August 30, 2007

FILED ELECTRONICALLY AND ORIGINAL VIA 1ST CLASS MAIL SERVICE

The Honorable Charles L.A. Terreni
Chief Clerk
South Carolina Public Service Commission
Post Office Drawer 11649
Columbia, South Carolina 29211

RE: Petition of the Office of Regulatory Staff for Commission to Order a Rule to Show Cause as to Why the Certificates of Public Convenience and Necessity for Certain Providers of Telecommunications Services Should Not be Revoked
Docket No. 2007-253-C, Our File No. 1131-10347

Dear Mr. Terreni:

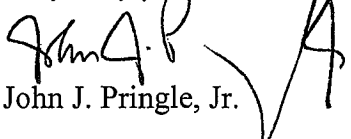
Enclosed please the original and one copy of the **Testimony of Carl Billek** for filing on behalf of IDT America Corporation in the above-referenced docket.

Please acknowledge your receipt of this document by file-stamping the copy of this letter enclosed, and returning it in the enclosed envelope.

If you have any questions or need additional information, please do not hesitate to contact me.

With kind regards, I am

Very truly yours,


John J. Pringle, Jr.

cc: Shealy Boland Reibold, Esquire (via electronic and 1st class mail service)
Andrew Fisher, Esquire
Enclosures

THIS DOCUMENT IS AN EXACT DUPLICATE OF THE E-FILED COPY SUBMITTED TO THE COMMISSION IN ACCORDANCE WITH ITS ELECTRONIC FILING INSTRUCTIONS.

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2007-253-C

IN RE:

Petition of the Office of Regulatory Staff
for Commission to Order a Rule to Show
Cause as to Why the Certificates of
Public Convenience and Necessity
for Certain Providers of
Telecommunications Services Should
Not be Revoked

)
)
)
) **TESTIMONY OF CARL BILLEK**
)
)
)

1 **Q. Please state your name, business address and title.**

2 A. My name is Carl Wolf Billek, and my business address is 520 Broad Street,
3 Newark, New Jersey 07102-3111. My title is Senior Regulatory Counsel of IDT
4 Telecom, Inc. ("IDT").

5 **Q. Please state your qualifications.**

6 A. I am currently Senior Regulatory Counsel for IDT Telecom, Inc. ("IDT").

7 **Q. What is the purpose of your testimony?**

8 A. The purpose of my testimony is to testify to the facts in this matter and present
9 evidence at the hearing.

10 **Q. What matters does this Docket involve?**

11 A: As I understand it, the Office of Regulatory Staff ("ORS") has conducted audits
12 of certain telecommunications companies to ensure proper reporting and other
13 compliance obligations with respect to the South Carolina Universal Service Fund

1 ("USF"). IDT is one of those companies. In particular, the ORS has been
2 interested in having IDT reconcile the revenue amounts reported by IDT in
3 connection with the USF to IDT's books.

4 **Q. What steps has IDT taken to try and resolve this matter?**

5 A. In the course of this Docket, IDT has provided numerous documents and
6 information to the ORS. Local counsel for IDT has discussed, corresponded with,
7 and met with the ORS on these topics. Further, I traveled to Columbia to meet
8 with the ORS on August 21, 2007 to try and resolve this matter. I think we are
9 making progress, and I appreciate the ORS' patience and willingness to work with
10 IDT.

11 **Q: What challenges has IDT faced in providing the reconciliations requested by**
12 **the ORS?**

13 A: As I will describe in more detail at the hearing, there are various aspects of the
14 way IDT keeps its books and records, as well as the peculiarities of IDT's lines of
15 business, that have made obtaining resolution difficult. However, the Company is
16 working very hard to provide documents and information that will be satisfactory
17 to the ORS, and will continue doing so. We hope to have this matter resolved
18 well before the hearing scheduled in this Docket.

19 **Q: Do you have an opinion about whether or not the Commission should revoke**
20 **the Company's certificate?**

21 A: I will leave the legal opinions to my counsel in this case. However, in view of the
22 good faith efforts we have undertaken, are undertaking now, and will undertake

1 between now and the hearing to resolve these outstanding issues, I believe that
2 revoking the Company's certificate would be a harsh punishment indeed.

3 **Q. Does this conclude your testimony?**

4 **A. Yes.**

5

DOCKET NO. 2007-253-C

Petition of the Office of Regulatory Staff
for Commission to Order a Rule to Show
Cause as to Why the Certificates of
Public Convenience and Necessity
for Certain Providers of
Telecommunications Services Should
Not be Revoked

CERTIFICATE OF SERVICE

This is to certify that I have caused to be served this day, one (1) copy of the **Testimony of Carl Billek** via electronic mail service and by placing a copy of same in the care and custody of the United States Postal Service (unless otherwise specified), with proper first-class postage affixed hereto and addressed as follows:

Shealy Boland Reibold, Esquire
Office of Regulatory Staff
Legal Department
PO Box 11263
Columbia SC 29211

Carol Roof
Carol Roof
Paralegal

August 30, 2007
Columbia, South Carolina